

In re the application of: Raphel *et al.*  
Application number: 09/912,401  
Filed: July 26, 2001  
For: **SYSTEM, METHOD AND COMPUTER  
PROGRAM TO MAXIMIZE SERVER  
THROUGHPUT WHILE AVOIDING SERVER  
OVERLOAD BY CONTROLLING THE RATE OF  
ESTABLISHING SERVER-SIDE NETWORK  
CONNECTIONS**  
Attorney Docket No.: 2006579-0455 (CTX-171RCE)

Art Unit: 2153  
Examiner: Blenman, Avalon

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JUL 24 2006

MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being transmitted by facsimile to fax number 571-273-8300 on the date shown below.  
Dated: July 24, 2006 Signature Katie Manzione (Katie Manzione)

### TRANSMITTAL LETTER

Enclosed for filing in the above-referenced patent application, please find the following documents:

1. Request for Continued Examination (RCE) (1 page);
2. Amendment and Response Accompanying Request for Continued Examination (9 pages);
3. Petition for Extension of Time (One Month) (2 pages); and
4. Credit Card Payment form in the amount of \$910.00 (\$790 for RCE fee and \$120 for Extension of Time) (1 page).

Please charge any additional fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully Submitted,  
CHOATE, HALL & STEWART LLP

  
Christopher J. McKenna  
Reg. No.: 53,302

Date: July 24, 2006

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U.S.S.N: 09/912,401

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Client Reference No.: CTX-171RCE

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**AMENDMENT AND RESPONSE  
ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION**

Dear Sir:

**INTRODUCTORY COMMENTS**

In response to the final Office Action mailed March 23, 2006, and preliminary to further examination in accordance with the Request for Continued Examination filed herewith, please amend the application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

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